

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Corey Gerwaski,

Plaintiff(s),

vs.

State of Nevada ex rel. Board of Regents of the  
Nevada System of Higher Education, et al.,

Defendant(s).

2:24-cv-00985-APG-MDC

**ORDER GRANTING DR. HATEM  
BAZIAN’S MOTION TO QUASH (ECF NO.  
56)**

Dr. Hatem Bazian filed a *Motion to Quash*. ECF No. 56 (“Motion”). Dr. Bazian is an Arab American studies professor at the University of California, Berkeley. ECF No. 56 at 4. Plaintiff attempted to serve him as a representative of National Students for Justice in Palestine (“NSJP”), and Students for Justice in Palestine (“SJP”). *Id.* Dr. Bazian, through counsel, asserts that he has never held any role with NSJP or SJP. *Id.* Dr. Bazian requests that the Court quash service on him and strike the proof of service on him that the plaintiff filed on the record. ECF No. 49. Dr. Bazian asserts that his counsel provided plaintiff’s counsel with evidence that Dr. Bazian is not, and never has been, affiliated with NSJP or SJP, but plaintiff did not withdraw the proof of service he filed. *Id.* Dr. Bazian also asks that service be quashed to avoid any legal implications in his personal capacity. *Id.* Plaintiff also asks for attorneys’ fees for having to file this Motion. *Id.*

While one of plaintiff’s attorneys recently withdrew, plaintiff remains represented by co-counsel in this action. Plaintiff, however, did not oppose the Motion. Per LR 7-2(d), the failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney’s fees, constitutes a consent to the granting of the motion. Plaintiff has not opposed the motion and the time to do so has passed. Plaintiff consented to the Court granting the

1 motion. The Court has also made an independent review of the record. The Court finds that Dr. Bazian's  
2 arguments are made in good faith on the merits and grants the Motion. After the parties meet and confer,  
3 the Court will entertain a motion or stipulation for attorney's fees pursuant to Local Rule 54-14.

4 IT IS ORDERED that:

- 5 1. Dr. Hatem Bazian's *Motion to Quash (ECF No. 56)* is GRANTED.
- 6 2. Service upon Dr. Hatem Bazian is QUASHED.
- 7 3. The Clerk of Court is kindly directed to STRIKE the proof of service the plaintiff filed at  
8 ECF No. 49 and to designate Dr. Bazian as a non-party on the docket rather than as an  
9 individual defendant.
- 10 4. Dr. Bazian has until **May 1, 2025** to file a motion or stipulation for attorneys' fees pursuant  
11 to LR 54-14, after the parties meet and confer. If the parties agree to stipulate to lesser fees,  
12 Dr. Bazian should still provide the required itemization.

13 Dated April 24, 2025

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17 Hon. Maximilian D. Couvillier III  
18 United States Magistrate Judge  
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